

## 12.6.16 I-O In-fill Overlay Zone

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### 12.6.16.1 Purpose and Objectives

The City encourages in-fill development that is compatible and consistent with existing uses, provided that adequate infrastructure is in place to service any proposed development. The I-O In-fill Overlay Zone may only be employed in the R-1-10 Zone of Bluffdale City. The purpose and objectives of the I-O In-fill Overlay Zone include, but are not limited to, the following:

1. To allow the orderly development of the older parts of the community.
2. To encourage reinvestment and maintenance of existing neighborhoods.
3. To stabilize and enhance property values.
4. To foster community pride.
5. To promote new development that will enhance and protect the existing structures.
6. To strengthen the economy and improve the quality of life.

Use of the I-O Overlay Zone is a request for increased intensity in the permitted uses of the underlying zone. Therefore, any applicant for use of the I-O Overlay Zone understands and acknowledges that the development rights on the subject property are those found in the underlying zone until, and unless, approved to use the I-O Overlay Zone, at which time the regulations found in this Chapter may be applied. The applicant further understands and acknowledges that denial for the use of the I-O Overlay Zone shall not constitute a takings claim in that the applicant shall not be denied the ability to use the property in accordance with the underlying zone.

Approval for the use of the I-O Overlay Zone shall be processed in the same manner as a zone change in accordance with Section 12.2.8 herein, with the exception that approval for the use of the I-O Overlay Zone need not be shown on the Zoning Map.

### 12.6.16.2 Review of Rezoning for Compatibility

Any application for use of the I-O Overlay Zone shall be reviewed by the Planning Commission and City Council for compatibility with the purposes and objectives of the overlay zone. ***Applications for the purpose of using the overlay zone to simply avoid compliance with this ordinance, or any building code or any federal, state, county or local law, shall not be approved.***

### 12.6.16.3 Guidelines for Neighborhood Preservation

The guidelines found in this Section are in addition to, and do not necessarily take the place of any other adopted ordinance or resolution of Bluffdale City, Salt Lake County, the State of Utah, and the United States Government.

Each request for the use of the I-O Overlay Zone shall be reviewed separately and judged on its own merits. ***The intention of the zone is to allow for in-fill development that is compatible with existing uses.***

### 12.6.16.4 Zone Area Requirements

Each I-O Overlay Zone will differ in size from a single lot or parcel, to several lots or parcels.

### 12.6.16.5 Permitted, Conditional, and Accessory Uses

Each I-O Overlay Zone may be different in nature, focus and scope, and thus the permitted, conditional, and accessory uses shall be determined on a case by case basis by the City Council. ***However, residential development is limited to single family homes in the I-O Overlay Zone.***

Each application for an I-O In-fill Overlay Zone shall include, at a minimum, the following information:

1. The lots or parcels proposed to be included in the zone.
2. The reason for the zone change request in accordance with one or more of the criteria found in Section 12.6.15.1 herein.
3. Proposals for special requirements of the zone including architectural controls, materials, uses, massing, or other similar ideas.
4. A detailed explanation of how the proposed use will be compatible and consistent with the existing neighborhood.
5. Any other information that will assist the Planning Commission and City Council determine appropriate characteristics and controls leading to the success of the proposal.
6. Proposed setback, width, frontage, parcel size and other requirements of the zone.

**12.6.16.6 Duration**

Unless otherwise specified by the City Council, approval of the overlay zone shall be valid for one year. If substantial construction of the proposed structure has not been completed, the approval for use of the overlay zone shall be null and void.